## FTC vs. Central Coast Nutraceuticals, Inc.

"I did not approve or agree to the use of my name or my image on this website.... I have never used, endorsed or approved AcaiPure.

am not associated with nor do l endorse or approve any acai berry product, company or online solicitation of such products, including AcaiPure."

- Declaration of Rachael Ray



## FEDERAL TRADE COMMISSION | FTC.GOV

## DECLARATION OF RACHAEL RAY PURSUANT TO 28 U.S.C. §1746

I, Rachael Ray, have personal knowledge of the facts and matters discussed in this declaration, and, if called as a witness, could and would testify as follows:

1. I am over the age of twenty-one (21) and am competent to give this testimony.

2. I live in New York State.

3. I am the host of the *Rachael Ray* Show, an award winning nationally syndicated daytime television show. I have also hosted a series of lifestyle and travel shows which air and/or have aired on the Food Network, including *Rachael's Vacations, Rachael Ray's Tasty Travels, \$40 A Day, Inside Dish* and *30-Minute Meals.* 

4. In addition to my television endeavors, I authored several bestselling cookbooks, including: <u>30-Minute Meals</u>, <u>30-Minute Meals 2</u>, <u>30-Minute Meals</u>: <u>Get Togethers</u>, <u>Comfort Foods</u>, <u>Veggie Meals</u>, <u>The Open House Cookbook</u>, <u>Cooking Round The Clock</u>, <u>Rachael Ray 30-Minute Meals</u>, <u>Cooking Rocks! Rachael Ray 30-Minute Meals for Kids</u>, <u>Rachael Ray 30-Minute Meals</u>, <u>Cooking Rocks! Rachael Ray 30-Minute Meals for Kids</u>, <u>Rachael Ray 30-Minute Meals</u>, <u>Cooking Rocks! Rachael Ray 30-Minute Get Real Meals</u>, <u>Rachael Ray 365: No Repeats A Year of Deliciously Different Dinners, Express Lane Meals</u>, <u>2-4-6-8: Great Meals for Couples or Crowds</u>, <u>Just in Time: All-New 30-Minute Meals</u>, <u>Meals</u>, <u>Super-Fast 15-Minute Meals and Slow It Down 60-Minute Meals</u>, <u>Yum-o! The Family Cookbook</u>, <u>Rachael Ray's Big Orange Book</u>, and <u>Rachael Ray's Book of 10</u>. Eight of my most recent titles were New York Times bestsellers.

5. I have reviewed the two page document attached to this declaration as Ray Att.
A. I have been told that Ray Att. A is a printout of the home page of website
www.healthyberrycleanse.com, as it appeared on April 8, 2010, which is a website

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marketing and selling a product called AcaiPure. I have been informed that this is one of numerous websites that sells the product AcaiPure.

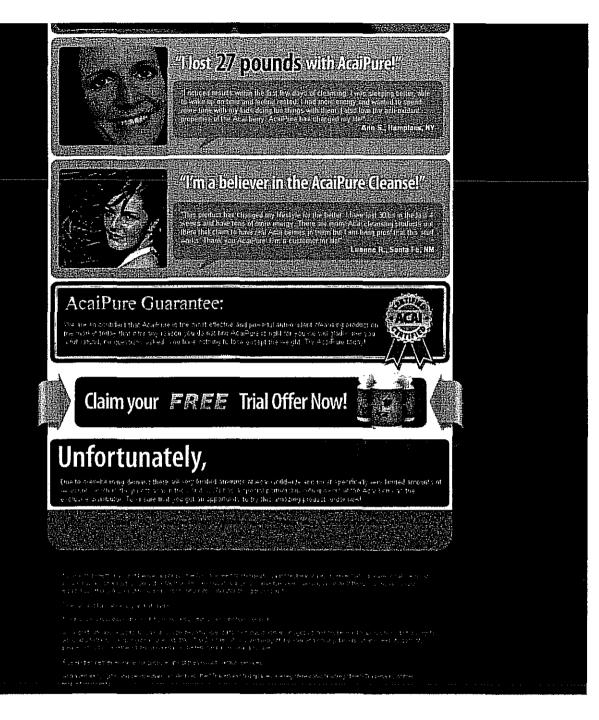
6. Among other things, as part of the marketing of AcaiPure, the home page depicted in Ray Att. A contains a photograph of me at the top of the page, and next to the photograph, the text "Acai Berry rated #1 SUPERFOOD by Rachael Ray."

7. I did not approve or agree to the use of my name or my image on this website. I have never approved or agreed to the use of my name or my image in conjunction with the sale and marketing of AcaiPure, or any acai berry related product.

8. I have never used, endorsed or approved AcaiPure. I am not associated with nor do I endorse or approve any açai berry product, company or online solicitation of such products, including AcaiPure.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 5\_\_\_, 2010, within the United States. Rachael Ray





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